

Veterans' Preference





Course Objectives

After this training you will be able to:

- ▶ Define Veterans' Preference
- Understand Veterans' Preference Law
- Determine Veteran Preference Eligibility
- Understand the Importance of Documentation in the Hiring Process
- ➤ Identify Advantages of Veterans in Our Workplace



What is Veterans' Preference?

A "Veteran" is defined as a citizen and resident of the State of Arkansas who has been honorably discharged from a tour of active duty (other than for training only) with the U.S. Armed Forces or who has served honorably in the National Guard or the Reserves for at least six years, whether the person has retired or been discharged or not. Ark. Code Ann. §21-3-301 is known as the State Veteran's Preference Law.



What is Veterans' Preference?

Veterans' Preference In Employment gives eligible veterans preference in selection over other applicants, provided the veteran applicant possesses substantially equal job qualifications. It also gives preference in internal agency actions such as promotions and retention of employees.

However, Veterans' Preference does *not* guarantee veterans a job.



Veterans' Preference Law

❖ Under the State Veterans' Preference Law, veterans who are disabled or who serve on active duty in the Armed Forces are entitled to preference over non-veterans both in hiring practices and in retention during reductions in force (RIF).



Veterans' Preference Eligibility

Must be:

- U.S. Military veterans, OR
- U.S. Military disabled veterans, OR
- Unmarried widows or widowers of veterans.

<u>AND</u>

Discharged or released from active duty in the armed forces under honorable conditions.



Veterans' Preference Eligibility

OR

Any person who has serves honorably in the National Guard or Reserve Forces of the United States for a period of six (6) years, whether the person has retired or been discharged or not.



Applicants Must Self-Identify

NOTE: Applicants desiring veterans preference in accordance with "The Veterans' Preference Law," should voluntarily submit the necessary official proof of his or her status as a veteran, disabled veteran, or unmarried widow/widower of veteran, with their application, at the time the preference is being sought.



Veterans' 5-point Preference

Applicants must have five points added to their score if they are:

- ☑ Honorably discharged veterans with a DD-214.
- ☑ A member of the National Guard or Reserved Forces of the United States for a period of six (6) years who has served honorably, whether the person has retired or been discharged or not and submits official proof.

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Veterans' 5-point Preference

OR

☑ The widows or widowers of veterans and able to submit documentation on their spouse's enlistment, induction or entry to active duty, marriage license and death certificate.



Veterans' 10-point Preference

Applicants must have ten points added to score if they are:

- ☑ Honorably discharged disabled veterans and submit Form DD-214 and a disability letter from the Veterans Administration dated within the last six months.
- ✓ Honorably discharged Veterans over fifty-five (55) years old, disabled and entitled to pension or compensation under existing laws who submit a DD-214, birth certificate, and an affidavit showing proof of disability.
- ☑ The widows or widowers of honorably discharged disabled veterans and submit documentation on their spouse's enlistment, induction or entry to active duty, marriage license and death certificate.



Point Allocation (con't)

- The Arkansas Department of Health only uses numerical ranking (scoring) when interviewing qualified applicants.
- Non-numerical ranking (scoring) systems, such as questionnaires or other similar instruments must only be used to clarify benchmarks to determine interview lists.
- When using a non-numerical ranking system, the hiring official must be able to demonstrate how veterans' preference was arrived at in the selection process.



Point Allocation

5 points will be awarded to:

Interview Score if not disable

10 points will be awarded to:

- Interview Score if service connected disability OR
- ✓ Veteran over 55 years old with disability OR
- Spouse of disabled veteran





Documentation in the Hiring Process

- ❖If, after adding the preference points to the KAS score, the veteran has the highest KAS score or is tied with another applicant, then the veteran should receive the job offer.
- ❖If the veteran is not interviewed or hired, the hiring supervisor must provide a valid, job-related explanation for that decision using the Veterans' Preference Checklist (HR-1137).



Failure to Hire Veterans

- If a hiring official passes over the name of any service-connected disabled veteran appearing on an interview or employment list, the hiring official must submit in writing the reason and attach it to the employment application.
- The written reason shall become part of the employment application record of the agency and be retained for the same period of time as all other employment applications as established by law or agency policy.



Advantages of Hiring Veterans in the Workplace

The military equips its personnel with skills and attributes that are particularly valuable to the agency such as:

- ☑ Battle-tested leadership,
- ✓ Values of honor and integrity,
- ✓ Strong work ethic,
- Exceptional professional and technical training,
- Analytical problem-solving skills,
- Efficient performance under pressure,
- ☑ Discipline and dependability,
- Background checks and security clearances,
- ✓ Diversity and inclusive in action,
- Respect for procedures



What it means for Veterans

- For many years, Veterans have sacrificed many of their own free liberties to ensure the liberties of others.
- Veterans' Preference may reward veterans for time served while in military service.
- Veterans' Preference law seeks to restore veterans to a favorable competitive position for employment, and to acknowledge the larger obligation owed to disabled veterans.



Resources



USERRA

http://www.eeoc.gov/facts/veterans-disabilities-employers.html

ADA

http://www.eeoc.gov/laws/types/disability.cfm

Department of Labor

http://www.dol.gov/vets/programs/vetspref/main.htm

Department of Veterans' Affairs

http://vaforvets.va.gov/veterans/aboutva/hiringprocess/Pages/preference.aspx

U.S. Office of Personnel Management

http://www.opm.gov/staffingPortal/Vetguide.asp

Arkansas Office of Personnel Management

http://www.dfa.arkansas.gov/offices/personnelManagement/policy/Documents/30 02 04VeteransPreference.pdf

5 USC 2108

http://law2.house.gov/uscode-cgi/fastweb.exe?getdoc+uscview+t05t08+175+1++'5%20USC%20Sec

